

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, APRIL 17, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:02 a.m. The meeting was recessed by Mayor O'Connor at 11:34 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:08 p.m. with Council Members Roberts Pratt, Henderson, and McCarty not present. Mayor O'Connor adjourned the meeting at 2:49 p.m. to convene as the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Roberts-present
  - (3) Council Member Hartley-present
  - (4) Council Member Pratt-present
  - (5) Council Member Bernhardt-present
  - (6) Council Member Henderson-present
  - (7) Council Member McCarty-present
  - (8) Council Member Filner-present
- Clerk-Fishkin (eb,rb)

FILE LOCATION: MINUTES

Apr-17-1990

ITEM-300: ROLL CALL

Deputy Clerk Pontecorvo called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-330: (R-90-1452) ADOPTED AS RESOLUTION R-275507

California state law requires the San Diego Association of Governments (SANDAG) to prepare, once every five years, the Regional Housing Needs Statement for use by local jurisdictions in updating the Housing Element of their Progress Guide and General Plan. The Regional Housing Needs Statement identifies San Diego's share of the region's total need for new housing units (Regional Share) and the need for assistance to lower income households (Fair Share). The Board of Directors of SANDAG has requested the City Council to consider adoption of the Regional Housing Needs Statement.

(Citywide)

Adoption of a Resolution adopting the Regional Housing Needs Statement.

PLANNING DEPARTMENT SUPPORTING INFORMATION:

Once every five years SANDAG prepares a Regional Housing Needs Statement (RHNS). This statement identifies each jurisdiction's share of the region's total need for new housing units and the need for assistance to lower income households. For the City of San Diego, 43,802 units are needed from now to July, 1996, which averages 8,760 units annually. SANDAG has identified for the City of San Diego a five year goal of 9,316 lower income households in need of assistance or 1,842 households annually.

Adoption of this statement is a necessary prerequisite to preparation of an updated Housing Element of the City's General Plan. State law requires the Housing Element to be

updated by July, 1991. Staff has begun working on the update with Council hearings slated for January, 1991.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A016-224.)

Hearing began 10:03 a.m. and halted 10:19 a.m.

Council Members Roberts, Pratt, and McCarty entered 10:04 a.m.

MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-90-1846) ADOPTED AS RESOLUTION R-275508

In the matter of the presentation of a Report by the  
University of San Diego Law School's Environmental Court  
Project Team, on the City's Code Enforcement System.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A250-C119.)

MOTION BY PRATT TO ACCEPT THE REPORT AND DIRECT THE CITY MANAGER AND CITY ATTORNEY TO REPORT TO THE PUBLIC SERVICES AND SAFETY COMMITTEE IN LATE MAY ON THE FOLLOWING RECOMMENDATIONS: TO DEVELOP A SPECIFIC PLAN FOR A FULL-TIME DRUG ABATEMENT TASK FORCE AND REPORT ON HOW CITY DEPARTMENTS ARE PRIORITIZING THE DRUG WAR WITHIN THEIR DEPARTMENTS, AND TO DEVELOP PLANS, RECOMMENDATIONS, AND TIME TABLES FOR THE FOLLOWING: 1) THE IMPLEMENTATION OF A COMPREHENSIVE ACADEMY FOR CODE

ENFORCEMENT

TRAINING, 2) THE IMPLEMENTATION OF A COMPUTERIZATION PROGRAM WITH VARIOUS AGENCIES AND DEPARTMENTS, 3) LOOK INTO COST RECOVERY AUTHORITY FOR ZONING AND OTHER DIVISIONS OF THE CITY SUCH AS COUNCIL AUTHORIZING THE BUILDING INSPECTION DEPARTMENT TO IMPOSE "REINSPECTION FEES," AND 4) PRIORITIZING DISTRIBUTION OF CODE ENFORCEMENT RESOURCES ACCORDING TO THE SERIOUSNESS OF THE VIOLATION. Second by McCarty. The motion was trailed for Council discussion.

AMENDMENT TO THE MOTION BY McCARTY TO ADD TO DIRECT THE CITY MANAGER AND CITY ATTORNEY TO REVIEW THE POSSIBLE USE OF THE CIVIL PENALTIES FUND AND THE NUISANCE ABATEMENT FUND FOR DISPUTE RESOLUTION, AND THE USE OF THE BUILDING INSPECTION ENTERPRISE

FUND FOR CODE ENFORCEMENT, AND REFER TO RULES TO LOOK INTO POSSIBLE STATE FUNDING FOR SAN DIEGO LIKE THE SENATE BILLS AUTHORIZING THE CREATION AND FUNDING FOR THE ENVIRONMENTAL COURT

IN RIVERSIDE COUNTY. Amendment accepted by maker of the motion.

MOTION BY ROBERTS TO ADD TO THE MOTION TO DIRECT THE CITY MANAGER TO REPORT BACK ON A PROPOSED TICKETING PROCEDURE FOR COMPLIANCE. Amendment accepted by maker of the motion.

MOTION BY HARTLEY TO ADD TO THE MOTION TO REFER TO PSS WAYS TO TARGET HOUSING COMPLEXES, TO GET THE COMMUNITY AND NEIGHBORHOODS

INVOLVED IN REPORTING CASES TO GET UP-TO-DATE REPORTING, AND TO COMBINE COMMUNITY ASSOCIATIONS SUCH AS THE APARTMENT OWNERS ASSOCIATION IN ORDER TO BE MORE EFFECTIVE. Amendment accepted by the maker of the motion.

MOTION BY BERNHARDT TO AMEND THE MOTION TO ADD TO REFER TO PSS THE CONSIDERATION OF THE USE OF VOLUNTEERS FOR CODE ENFORCEMENT AND THE CREATION OF A CASE PRIORITIZATION WITHOUT INFRINGING ON THE PRESENT ROUTE SLIP PROCESS FROM THE MAYOR AND COUNCIL MEMBERS. Second by Wolfsheimer. Amendment accepted by the maker of the motion.

The vote was taken on the motion and the amendments. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-90-1564) ADOPTED AS RESOLUTION R-275509

Declaring that there will be extraordinary public benefit provided by the Salk Institute for Biological Studies and the La Jolla Cancer Research Foundation for the citizens of San Diego and potentially for all of mankind; declaring that because of these extraordinary and unique public benefits there are special circumstances justifying an exception to Council Policy 600-36 as set forth in paragraph D of that policy; allocating the Salk Institute for Biological Studies the equivalent of 939 average daily trips under the University City Plan; allocating the La Jolla Cancer Research Foundation the equivalent of 400 average daily trips under the University City Plan. (See City Manager Report CMR-90-163. University City Community Area. District-1.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A224-250.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-333: (O-90-165) INTRODUCED, TO BE ADOPTED ON APRIL 30,  
1990

A proposal to adopt an extension to the Interim Ordinance for the San Ysidro and urbanized portions of the Tia Juana River Valley communities (map available in the Planning Department). The original San Ysidro Interim Ordinance, (O-17286 N.S.) was approved by the City Council on April 11, 1989 and will expire on May 30, 1990.

The purpose of the extension of the ordinance would be to ensure that all future residential development permitted in multi-family and commercial zones would be adequately served by public facilities and services and to protect the integrity of a proposed historic area within the community.

The proposed extension of the Interim Ordinance would apply for a period of one year from the date of adoption, or upon the effective date of regulations to implement the updated San Ysidro Community Plan, whichever occurs first and would provide the following:

1. All projects containing residential development on properties in multi-family and commercial zones would be required to obtain a Planned Residential Development Permit, Planned Commercial Development Permit, or Conditional Use Permit prior to issuance of building permits.
2. In conjunction with approval for all new residential projects in multi-family or commercial zones, a finding must be made that basic public facilities and services including but not limited to schools, parks, roads, water, sewer, and public safety will be provided at standards equal to or exceeding those recommended by the Progress Guide and General Plan for the City of San Diego and applicable City Council policies.
3. Applications to demolish structures within an historic survey area would be required to obtain approval from the Planning Director.

(District-8.)

Introduction of an Ordinance for an extension of time to  
O-17286 N.S.

FILE LOCATION: LAND - San Ysidro, San Ysidro Community Plan

COUNCIL ACTION: (Tape location: D011-019.)

Hearing began at 2:09 p.m. and halted at 2:10 p.m.

MOTION BY FILNER TO APPROVE STAFF RECOMMENDATIONS. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (O-90-163) NOTED AND FILED

Approval of the proposed Amendment to the Northridge Development Agreement between the City of San Diego and Robert T. and Raedene Curry.

The proposed development agreement would apply to approximately 123 acres in the Miramar Ranch North and Sabre Springs Communities. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Miramar Ranch North Community Plan, existing A-1-10 and proposed M-IP Zoning, Tentative Map TM-86-0181, Planned Industrial Development Permit PID-86-0181 and the Sabre Springs Community Plan for the remaining approximately 9.5 years of the original 15 years of the original agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located east of I-15 between Poway Road and the proposed Spring Canyon Road. A brief legal description is as follows: the northeast 1/4, of the southeast 1/4 of Section 20; the north 1/2 of the southwest 1/4 of Section 21 and a portion of the northwest 1/4 of Section 21, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department. Introduction of an Ordinance amending the development

agreement.

FILE LOCATION: DEVL - Northridge Development Agreement  
CONT FY90-1

COUNCIL ACTION: (Tape location: D020-027.)

Testimony by Charles Black, representing Robert and Raedene Curry, requesting that the matter be noted and filed.

MOTION BY BERNHARDT TO NOTE AND FILE. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335:

(Reconsidered by Council on January 22, 1990, Item S401 and set for hearing on February 13, 1990 at 2:00 p.m.

Continued from the meetings of February 13, 1990, Item S507, and March 27, 1990, Item 334; last continued at Councilmember Bernhardt's request, for further review.)

Two actions relative to freeway interchange improvement agreements - Interstate 15/Mercy Road Interchange:

(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-90-985 Rev.1) RE-ADOPTED AS RESOLUTION R-274939,  
AS ORIGINALLY APPROVED ON  
JANUARY 8, 1990

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Authorizing the execution of an agreement with the California Department of Transportation (CalTrans), for the Project Report, environmental documents, plans, specifications and estimates to provide improvements at the Interstate 15/Mercy Road Interchange.

Subitem-B: (R-90-986) ADOPTED AS AMENDED AS RESOLUTION  
R-275510

Authorizing the execution of an agreement with BCE Development, for the Project Report, environmental

documents, plans, specifications and estimates to provide for improvements to the Interstate 15/Mercy Road Interchange.

**CITY MANAGER SUPPORTING INFORMATION:** On May 21, 1987, the City Council approved the Miramar Ranch North Community Plan.

This Community Plan required that improvements to the Interchange at Interstate 15 and Mercy Road be made prior to development in this community. The subject agreements will provide for the design and environmental documents for this interchange. Because CalTrans will only contract with the local agency having jurisdiction over such a project, the first agreement obligates the City to accomplish the aforementioned work. The second agreement, between the City and BCE Development, Inc. (the developer), obligates BCED to perform all of the City's responsibilities required by CalTrans. Therefore, BCED is obligated to perform all work with the City only having oversight responsibility and CalTrans' final approval.

**FILE LOCATION:** MEET CCONT FY90-2

**COUNCIL ACTION:** (Tape location: D028-125.)

**MOTION BY BERNHARDT TO APPROVE THE REVISED AGREEMENT.** Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**ITEM-336: (R-90-1551) ADOPTED AS RESOLUTION R-275511**

Authorizing the execution of an agreement to reimburse the Reuben H. Fleet Space Theater and Science Center for costs of remodeling portions of the facility interior, as funds may become available from the Balboa Park Master Plan Implementation Program bond sale proceeds.  
(See City Manager Report CMR-90-72. Balboa Park Community Area. District-8.)

**COMMITTEE ACTION:** Reviewed by PFR on 2/14/90. Recommendation to approve the City Manager's recommendation to approve the reimbursement agreement. Districts 1, 6 and 7 voted yea. District 3 voted nay. District 8 not present.



FILE LOCATION: MEET CONT FY90-1

COUNCIL ACTION: (Tape location: D126-558.)

MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, Mayor O'Connor adjourned the meeting at 2:49 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E003-004).